

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

Assistant Commissioner for Patents  
Washington, DC 20231

Atty. Dkt. 3926-3

Date: December 14, 2001

Sir:

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

**APPARATUS AND METHOD FOR THE COMPLETE CHARACTERIZATION OF OPTICAL DEVICES  
INCLUDING LOSS, BIREFRINGENCE AND DISPERSION EFFECTS**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract

47 pages of specification and claims (including 47 numbered claims), and

8 sheets of accompanying drawing/s.

Record the attached assignment and return to the undersigned.

Attached is a Power of Attorney.

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
--------------------	---------	----------------------

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.

Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

☒ Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. 60/255,077, filed 14 December 2000, the entire content of which is hereby incorporated by reference in this application.--

☐ Please amend the specification by inserting the following paragraph before the first line: --This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

☐ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to Luna Technologies.

☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☐ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ Also attached: ☐ Information Disclosure Statement; ☒ **Non-Publication Request**; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

1.	Inventor:	Mark	E.	FROGGATT	US
		(first)	MI	(last)	(citizenship)
	Residence: (city)	Blacksburg		(state/country)	Virginia
	Mailing Address:	1912 Lacy Lane, Blacksburg, Virginia			
	(Zip Code)	24060			

**Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.**

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
SCS:mm

**NIXON & VANDERHYE P.C.**  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FROGGATT

Atty. Ref.: 3926-3

Serial No. (unassigned)

Group:

Filed: December 13, 2001

Examiner:

For: APPARATUS AND METHOD FOR THE COMPLETE  
CHARACTERIZATION OF OPTICAL DEVICES INCLUDING  
LOSS, BIREFRINGENCE AND DISPERSION EFFECTS

\* \* \* \* \*

December 14, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**NON-PUBLICATION REQUEST**

It is respectfully requested that this application **NOT** be published under 35 U.S.C.

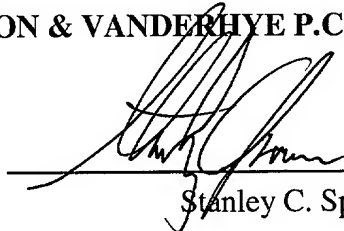
122(b).

I hereby certify that the invention disclosed in the subject application has not been and  
will not be the subject of an application filed in another country, or under a multilateral  
international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

**NIXON & VANDERHUYE P.C.**

By:

  
\_\_\_\_\_  
Stanley C. Spooner

Reg. No. 27,393

SCS:kmm

1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100